1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF CALIFORNIA 10 OAKLAND DIVISION 11 LD, DB, BW, RH, and CJ, on behalf of Case No.: 4:20-cy-02254-YGR themselves and all others similarly situated, 12 Plaintiffs, ORDER GRANTING IN PART 13 **DEFENDANTS' RENEWED** ADMINISTRATIVE MOTION TO SEAL v. 14 UNITED HEALTHCARE INSURANCE 15 COMPANY, a Connecticut Corporation, UNITED BEHAVIORAL HEALTH, a 16 California Corporation, and MULTIPLAN, INC., a New York Corporation, 17 Defendants. 18 19 20 21 22 23 24 25 26 27 28

1 ORDER

The Court, having considered defendants United Healthcare Insurance Company's and United Behavioral Health's (collectively "United Defendants") and defendant MultiPlan, Inc. (together, "Defendants") Renewed Administrative Motion to File Under Seal, the Declarations of Rebecca Paradise, Jeffrey Schneewind, Lauren Blas, Craig Caesar, Marjorie Wilde, and Sean Crandell; the Declarations of Non-Party Plan Sponsors Cisco Systems, Inc., Union Pacific Railroad Company, Delta Air Lines, Inc., Oracle Corporation, Raytheon Company, and McMaster-Carr Supply Company; and plaintiffs' non-opposition to the sealing of certain documents as detailed at ECF Nos. 170, 229, 251, and 263, hereby **ORDERS** sealing as laid out in the chart which follows.¹

As set forth herein, the Court requires additional information for some requests. This is particularly important in light of the communication referenced below. The parties shall submit this information with ten (10) days of this Order.

The parties are advised that the Court is in receipt of a letter from the New York Times (included as Attachment A) which emphasizes the importance and value of open information in our legal system. The Court concurs with that proposition and works diligently to ensure transparency while balancing the needs identified in requests to seal. The Court reminds parties that any requests to seal must be *narrow*. Broad requests to seal whole documents with old, no longer used agreements or nonproprietary information will be denied unless sufficient reasons exist to do otherwise.

Moreover, the public should be aware of the significant resources required to evaluate extensive sealing requests which frequently are done in a complicated and non-user-friendly manner. The Court is working to find a more streamlined approach to address the requests.

Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
Exhibit 48 to the Declaration of Jeff Schneewind (Dkt. 207-1), excerpts from the ASA between	Administrative Services	Tentatively denied as overbroad. No indication of which if any provisions remain competitive in
	UnitedHealthcare Insurance	2023.

¹ Given the procedural posture, certain requests are granted which may not be if this case is ever tried.

$\begin{bmatrix} 1 \\ 2 \end{bmatrix}$	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3	UHC and Apple Computer, Inc and subsequent amendments.	Company and a plan sponsor, which reflects commercially	Some of these documents are
4	and subsequent amendments.	sensitive and proprietary information. Details	unsigned and are drafts. Many provisions are generic. More
5		confidential contractual terms and financial terms which are	specific information is required.
6 7		still in effect currently. Schneewind Decl. (Dkt. 215-3) ¶¶ 4-5; Renewed Schneewind	
8		Decl. ¶¶ 4-5.	
9	Exhibit 49 to the Declaration of Jeff Schneewind (Dkt. 207-1),	Contains confidential Administrative Services	Tentatively denied as overbroad. No indication of which if any
11	excerpts from the ASA between UHC and Cisco Systems, Inc.	UnitedHealthcare Insurance	provisions remain competitive in 2023.
12	and subsequent amendments.	Company and a plan sponsor, which reflects commercially	Some of these documents are unsigned and are drafts. Many
13		sensitive and proprietary information. Details	provisions are generic. More specific information is required.
14		confidential contractual terms and financial terms which are	-1
15		still in effect currently. Schneewind Decl. (Dkt. 215-3)	
16		¶¶ 4-5; Renewed Schneewind Decl. ¶¶ 4-5. <i>See also</i> Cisco	
17		Decl., ¶¶ 8-18.	
8	Exhibit 50 to the Declaration of	Contains confidential	Tentatively denied as overbroad.
9	Jeff Schneewind (Dkt. 207-1), excerpts from the ASA between	Administrative Services Agreement between	No indication of which if any provisions remain competitive in
20	UHC and Delta Air Lines, Inc. and subsequent amendments.	UnitedHealthcare Insurance Company and a plan sponsor,	2023.
22	and subsequent unionements.	which reflects commercially sensitive and proprietary	Some of these documents are unsigned and are drafts. Many
23		information. Details	provisions are generic. More specific information is required.
24		confidential contractual terms and financial terms which are	
25		still in effect currently. Schneewind Decl. (Dkt. 215-3)	
26		¶¶ 4-5 and Renewed Schneewind Decl. ¶¶ 4-5. <i>See</i>	
27		also Delta Decl. ¶¶ 6-10.	
28			

Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
Exhibit 51 to the Declaration of Jeff Schneewind (Dkt. 207-1), excerpts from the ASA between UHC and General Dynamics Corporation and subsequent amendments.	Contains confidential Administrative Services Agreement between UnitedHealthcare Insurance Company and a plan sponsor, which reflects commercially sensitive and proprietary information. Details	Tentatively denied as overbroad. No indication of which if any provisions remain competitive in 2023. Some of these documents are unsigned and are drafts. Many provisions are generic. More
	confidential contractual terms and financial terms which are still in effect currently.	specific information is required.
	Schneewind Decl. (Dkt. 215-3)	
	¶¶ 4-5; Renewed Schneewind Decl. ¶¶ 4-5.	
Exhibit 52 to the Declaration of Jeff Schneewind (Dkt. 207-1),	Contains confidential Administrative Services	Granted as to version on Dkt. No. 338.
excerpts from the ASA between UHC and JP Morgan Chase	Agreement between UnitedHealthcare Insurance	
Bank, N.A., and subsequent amendments.	Company and a plan sponsor, which reflects commercially	
	sensitive and proprietary information. Details	
	confidential contractual terms	
	and financial terms which are still in effect currently.	
	Schneewind Decl. (Dkt. 215-3) ¶¶ 4-5; Renewed Schneewind	
	Decl. ¶¶ 4-5.	
Exhibit 53 to the Declaration of	Contains confidential	Tentatively denied as overbroad.
Jeff Schneewind (Dkt. 207-1), excerpts from the ASA between	Administrative Services Agreement between	No indication of which if any provisions remain competitive in
UHC and McMaster-Carr Supply Company and	UnitedHealthcare Insurance Company and a plan sponsor,	2023.
subsequent amendments.	which reflects commercially sensitive and proprietary	Some of these documents are unsigned and are drafts. Many provisions are generic. More
	information. Details	specific information is required.

1 2	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3	Scarca	confidential contractual terms	
4		and financial terms which are still in effect currently. Schneewind Decl. (Dkt. 215-3)	
5		¶¶ 4-5; Renewed Schneewind Decl. ¶¶ 4-5. <i>See also</i>	
7		McMaster-Carr Decl. ¶¶ 6-10.	
8			
9	Exhibit 54 to the Declaration of Jeff Schneewind (Dkt. 207-1),	Administrative Services	Granted as to version on Dkt. No. 338.
10	excerpts from the ASA between UHC and Nestle USA, Inc. and	0	
11	subsequent amendments.	Company and a plan sponsor, which reflects commercially	
12 13		sensitive and proprietary information. Details	
14		confidential contractual terms and financial terms which are	
15		still in effect currently. Schneewind Decl. (Dkt. 215-3)	
16		¶¶ 4-5; Renewed Schneewind Decl. ¶¶ 4-5.	
17		""	
18	Exhibit 55 to the Declaration of Loff Schnoovind (Dkt. 207.1)		Tentatively denied as overbroad.
19	Jeff Schneewind (Dkt. 207-1), excerpts from the ASA between	•	No indication of which if any provisions remain competitive in
20	UHC and Oracle Corporation and subsequent amendments.	UnitedHealthcare Insurance Company and a plan sponsor,	2023. Some of these documents are
21		which reflects commercially sensitive and proprietary	unsigned and are drafts. Many
22		information. Details confidential contractual terms	provisions are generic. More specific information is required.
23		and financial terms which are	
24		still in effect currently. Schneewind Decl. (Dkt. 215-3)	
25		¶¶ 4-5; Renewed Schneewind Decl. ¶¶ 4-5. <i>See also</i> Oracle	
26		Decl. ¶¶ 6-10.	
27			
28			

$\begin{bmatrix} 1 \\ 2 \end{bmatrix}$	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3 4 5 6 7 8 9 10	Exhibit 56 to the Declaration of Jeff Schneewind (Dkt. 207-1), excerpts from the ASA between UHC and Raytheon Company and subsequent amendments.	Contains confidential Administrative Services Agreement between UnitedHealthcare Insurance Company and a plan sponsor, which reflects commercially sensitive and proprietary information. Details confidential contractual terms and financial terms which are still in effect currently. Schneewind Decl. (Dkt. 215-3) ¶¶ 4-5; Renewed Schneewind Decl. ¶¶ 4-5. See also Raytheon Decl. ¶¶ 4-8.	Granted as to version on Dkt. No. 338.
		Raytheon Deci. 11 4-8.	
12 13	Exhibit 57 to the Declaration of	Contains confidential	Tentatively denied as overbroad.
14	Jeff Schneewind (Dkt. 207-1), excerpts from the ASA between	Administrative Services Agreement between	No indication of which if any provisions remain competitive in
15	UHC and Tesla, Inc. and	UnitedHealthcare Insurance	2023.
	subsequent amendments.	Company and a plan sponsor, which reflects commercially	Some of these documents are
16		sensitive and proprietary information. Details	unsigned and are drafts. Many provisions are generic. More
17		confidential contractual terms	specific information is required.
18 19		and financial terms which are still in effect currently.	
20		Schneewind Decl. (Dkt. 215-3) ¶¶ 4-5; Renewed Schneewind Park ¶¶ 4-5	
21		Decl. ¶¶ 4-5.	
22	Exhibit 70 to the Declaration of	Contains commercially	Granted.
23	Rebecca Paradise (Dkt. 208-1), communications to UHC plan	sensitive information regarding United's internal discussions	
24	sponsor account teams.	about out-of-network programs (Category 2, Second Paradise	
25		Decl. (Dkt. 215-4) ¶ 5). Contains specific savings	
26		projections and changes to fees	
27		charged to customers, which became effective January 1,	
28		2021 and is still operative	

$\begin{bmatrix} 1 \\ 2 \end{bmatrix}$	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3		today. <i>See</i> Renewed Paradise Decl. ¶ 4.	
4	Exhibit 71 to the Declaration of	Contains commercially sensitive information regarding	Denied.
5	Rebecca Paradise (Dkt. 208-1), communications to UHC plan	United's internal discussions about out-of-network	
6	sponsor account teams.	programs, including detailing recommendations to clients	
7 8		about updated out-of-network	
9		reimbursement plans, which became effective January 1,	
10		2021 and is still operative today. <i>See</i> Renewed Paradise Decl. ¶ 4; <i>see also</i> Category 2,	
11		Second Paradise Decl. (Dkt.	
12	Exhibit 72 to the Declaration of	215-4) ¶ 5. Contains protected health information (PII/PHI, Renewed	Granted.
13	Rebecca Paradise (Dkt. 208-1), example of a PAD letter.	Blas Decl. ¶ 4; see also Second	
14		Blas Decl. (Dkt. 227) ¶ 5). See also Modiano Dec. (Dkt. 229).	
15 16	Exhibit 73 to the Declaration of Rebecca Paradise (Dkt. 208-1),	Contains proprietary information regarding UHC's	Granted.
17	excerpt from UHC's Performance Summary for	out of-network programs' operations, performance, and	
18	Facility R&C for 2020.	procedures, detailing specific savings figures and Facility	
19		R&C negotiation success rates during the fourth quarter of	
20		2020. See Renewed Paradise Decl. ¶ 4; see also (Category 2,	
21		Second Paradise Decl. (Dkt. 215-4) ¶ 5)).	
22	Exhibit 110 to the Declaration of Geoffrey Sigler (Dkt. 209-2),	Contains commercially sensitive information regarding	Granted.
23 24	documents introduced as Exhibits 9, 19, and 22 to the	United's internal communications, business	
25	deposition of Radames Lopez.	strategy, client relationships and proprietary processes,	
26		including proposed changes to an internal repository of	
27		information maintained by UHC, and specifically	
28		referencing particular out-of-	

1 2	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3	Searca	network programs and strategy	
4		regarding influencing customers' choices between these plans. <i>See</i> Renewed	
5		Paradise Decl. ¶ 4; see also (Category 2, Second Paradise	
6		Decl. (Dkt. 215-4) ¶ 5).	
7 8	Exhibit 112 to the Declaration	Contains commercially sensitive information regarding	Granted.
9	of Geoffrey Sigler (Dkt. 209-2), document introduced as Exhibit	United's internal discussions	
	8 to the deposition of Sarah	about out-of-network programs, including sensitive	
10	Peterson.	communications with a plan	
11 12	Narrowed version refiled	sponsor about their considerations and United's pricing methodology (Renewed	
13	concurrently herewith.	Paradise Decl. ¶ 4; see also Category 2, Second Paradise	
14		Decl. (Dkt. 215-4) ¶ 5).	
15	Exhibit 128 to the Declaration	Contains information about fee	Granted.
16	of Geoffrey Sigler (Dkt. 209-3), email thread produced by	arrangements with UHC customers (Category 1, Second	
17	UnitedHealthcare Insurance Company in this action as	Paradise Decl. (Dkt. 215-4) ¶ 4) and commercially sensitive information regarding United's	
18 19	UHC000070704–10.	business strategy, client relationships and proprietary	
20		processes, including sensitive communications with a plan	
21		sponsor about their	
22		considerations and United's pricing methodology (Renewed	
23		Paradise Decl. ¶ 4; see also Category 2, Second Paradise	
24	E-1:1:4 120 4- 4 D 1 4	Decl. (Dkt. 215-4) ¶ 5). Contains sensitive information	Constal
25	Exhibit 129 to the Declaration of Geoffrey Sigler (Dkt. 209-3),	regarding medical treatments	Granted.
26	transcript by the court reporting service, Veritext, of a call	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
27	recording separately produced by United Defendants as an	Second Blas Decl. (Dkt. 227) ¶ 5).	
28	audio file bates numbered		

$\begin{bmatrix} 1 \\ 2 \end{bmatrix}$	Document or Portion of Document Sought to Be	Evidence Offered in Support of Sealing	Ruling
3	UBH3449 and submitted as an		
4	attachment to the Declaration of Ngoc Han Nguyen.		
5	Exhibit 130 to the Declaration of Geoffrey Sigler (Dkt. 209-3),	Contains sensitive information regarding medical treatments	Granted.
6	transcript by the court reporting service, Veritext, of a call	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
7	recording separately produced	Second Blas Decl. (Dkt. 227) ¶ 5).	
8	by United Defendants as an audio file bates numbered		
9	UBH3459 and submitted as an attachment to the Declaration		
10	of Ngoc Han Nguyen.	Contains sensitive information	Constal
11 12	Exhibit 131 to the Declaration of Geoffrey Sigler (Dkt. 209-4), transcript by the court reporting	regarding medical treatments sought or obtained (PHI/PII,	Granted.
13	service, Veritext, of a call recording separately produced	Renewed Blas Decl. ¶ 41 Second Blas Decl. (Dkt. 227)	
14	by United Defendants as an audio file bates numbered	¶ 5).	
15	UBH3352 and submitted as an attachment to the Declaration		
16	of Ngoc Han Nguyen.		
17	Exhibit 132 to the Declaration of Geoffrey Sigler (Dkt. 209-4),	Contains sensitive information regarding medical treatments	Granted.
18	transcript by the court reporting service, Veritext, of a call	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 41	
19	recording separately produced	Second Blas Decl. (Dkt. 227) ¶ 5).	
20	by United Defendants as an audio file bates numbered	11 - 7.	
21	UBH3461 and submitted as an attachment to the Declaration		
22	of Ngoc Han Nguyen.	Contains sensitive information	
23	Exhibit 133 to the Declaration of Geoffrey Sigler (Dkt. 209-4),	regarding medical treatments	Granted.
24	transcript by the court reporting service, Veritext, of a call	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
25	recording separately produced by United Defendants as an	Second Blas Decl. (Dkt. 227) ¶ 5).	
26	audio file bates numbered		
27	UBH3462 and submitted as an attachment to the Declaration		
28	of Ngoc Han Nguyen.		

1 2	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3	Exhibit 134 to the Declaration	Contains sensitive information regarding medical treatments	Granted.
4	of Geoffrey Sigler (Dkt. 209-4), transcript by the court reporting service, Veritext, of a call	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 41	
5	recording separately produced	Second Blas Decl. (Dkt. 227) ¶ 5).	
6 7	by United Defendants as an audio file bates numbered	" /	
8	UBH3463 and submitted as an attachment to the Declaration		
	of Ngoc Han Nguyen.	Contains sensitive information	
9	Exhibit 135 to the Declaration of Geoffrey Sigler (Dkt. 209-4), transcript by the court reporting	regarding medical treatments sought or obtained (PHI/PII,	Granted.
11	service, Veritext, of a call	Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227)	
12	recording separately produced by United Defendants as an	¶ 5).	
13	audio file bates numbered UBH3465 and submitted as an		
14	attachment to the Declaration of Ngoc Han Nguyen.		
15	Exhibit 136 to the Declaration	Contains sensitive information regarding medical treatments	Granted.
16	of Geoffrey Sigler (Dkt. 209-4), transcript by the court reporting	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
17	service, Veritext, of a call recording separately produced	Second Blas Decl. (Dkt. 227)	
18	by United Defendants as an audio file bates numbered	¶ 5).	
19	UBH3430 and submitted as an attachment to the Declaration		
20	of Ngoc Han Nguyen.		
21	Exhibit 137 to the Declaration of Geoffrey Sigler (Dkt. 209-4),	Contains sensitive information regarding medical treatments	Granted.
22	transcript by the court reporting	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
23	service, Veritext, of a call recording separately produced	Second Blas Decl. (Dkt. 227)	
24	by United Defendants as an audio file bates numbered	¶ 5).	
25	UBH3431 and submitted as an attachment to the Declaration		
26	of Ngoc Han Nguyen.		
27 28	Exhibit 139 to the Declaration of Geoffrey Sigler (Dkt. 209-4),	regarding medical treatments	Granted.
27	of Ngoc Han Nguyen. Exhibit 139 to the Declaration	Contains sensitive information regarding medical treatments sought or obtained (PHI/PII,	Granted.

1 2	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3	document introduced as Exhibit	Renewed Blas Decl. ¶ 4; ;	
4	3 to the deposition of named plaintiff BW and bates	Second Blas Decl. (Dkt. 227) ¶ 5). <i>See also</i> Modiano Decl.	
5	numbered PLD0000711-13.	(Dkt. 229) ¶ 5.	
	Exhibit 140 to the Declaration	Contains sensitive information regarding medical treatments	Granted.
6	of Geoffrey Sigler (Dkt. 209-4), letter introduced as Exhibit 9 to	sought or obtained (PHI/PII,	
7	the deposition of named	Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227)	
8	plaintiff BW and bates numbered PLD0000001.	¶ 5). See also Modiano Decl.	
9	Enhilit 142 to the Declaration	(Dkt. 229) ¶ 5. Contains sensitive information	Countril
10	Exhibit 143 to the Declaration of Geoffrey Sigler (Dkt. 209-5),	regarding medical treatments	Granted.
11	invoice introduced as Exhibit	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
12	12 to the deposition of named plaintiff BW and bates	Second Blas Decl. (Dkt. 227)	
	numbered PLTFIRSTPROD0000394-95.	¶ 5). <i>See also</i> Modiano Decl. (Dkt. 229) ¶ 5.	
13	Exhibit 146 to the Declaration	Contains sensitive information	Granted.
14	of Geoffrey Sigler (Dkt. 209-5)	regarding medical treatments sought or obtained (PHI/PII,	Oranica.
15	at 38:16-25, 42:6-22, 153:8, certified transcript of the	Renewed Blas Decl. ¶ 4;	
16	deposition of named plaintiff	Second Blas Decl. (Dkt. 227) ¶ 5).	
17	RH taken in this matter on June 8, 2022.	3):	
18	, , , , , , , , , , , , , , , , , , , ,		
19	Narrowed version refiled		
20	concurrently herewith.	Contains sensitive information	
	Exhibit 150 to the Declaration of Geoffrey Sigler (Dkt. 209-5),	regarding medical treatments	Granted.
21	letter introduced as Exhibit 10	sought or obtained (PHI/PII,	
22	to the deposition of named	Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227)	
23	plaintiff RH and bates numbered	¶ 5). <i>See also</i> Modiano Decl. (Dkt. 229) ¶ 5.	
24	PLTFIRSTPROD0000984–85.	Contains sensitive information	
25	Exhibit 151 to the Declaration of Geoffrey Sigler (Dkt. 209-6),	regarding medical treatments	Granted.
26	letter introduced as Exhibit 11	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
	to the deposition of named plaintiff RH and bates	Second Blas Decl. (Dkt. 227)	
27	numbered	¶ 5.) <i>See also</i> Modiano Decl. (Dkt. 229) ¶ 5.	
28	PLTFIRSTPROD0000920–21.	(DRC 227) 3.	

$\begin{bmatrix} 1 \\ 2 \end{bmatrix}$	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3	Exhibit 152 to the Declaration	Contains sensitive information	Granted.
4	of Geoffrey Sigler (Dkt. 209-6), document introduced as Exhibit 12 to the deposition of named	regarding medical treatments sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
5	plaintiff RH and bates	Second Blas Decl. (Dkt. 227) ¶ 5). <i>See also</i> Modiano Decl.	
6 7	numbered PLTFIRSTPROD0001014-15; PLTFIRSTPROD0000978-79.	(Dkt. 229) ¶ 5.	
8	Exhibit 153 to the Declaration	Contains sensitive information regarding medical treatments	Granted.
9	of Geoffrey Sigler (Dkt. 209-6), invoice introduced as Exhibit	sought or obtained (PHI/PII,	
10	13 to the deposition of named plaintiff RH and bates numbered	Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227) ¶ 5). See also Modiano Decl.	
11	PLTFIRSTPROD0000919.	(Dkt. 229) ¶ 5.	
12	Exhibit 155 to the Declaration	Contains sensitive information regarding medical treatments	Granted.
13	of Geoffrey Sigler (Dkt. 209-6) 23:17-24:7, 27:1-28:25,	sought or obtained (PHI/PII,	
14	125:24-25, 134: 9-24, certified transcript of the deposition of	Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227)	
15	named plaintiff LD taken in this	¶ 5).	
16	matter on June 14, 2022.		
17 18	Narrowed version refiled concurrently herewith.		
19	Exhibit 156 to the Declaration of Geoffrey Sigler (Dkt. 209-6),	Contains sensitive information regarding medical treatments	Granted.
20	letter introduced as Exhibit 7 to	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
21	the deposition of named plaintiff LD and bates	Second Blas Decl. (Dkt. 227)	
22	numbered PLD0001492–93.	¶ 5). <i>See also</i> Modiano Decl. (Dkt. 229) ¶ 5.	
23	Exhibit 157 to the Declaration of Gooffrey Sigler (Dkt. 200.6)	Contains sensitive information regarding medical treatments	Granted.
24	of Geoffrey Sigler (Dkt. 209-6), invoice introduced as Exhibit 9	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
25	to the deposition of named plaintiff LD and bates	Second Blas Decl. (Dkt. 227)	
26	numbered PLTFIRSTPROD0000901.	¶ 5). <i>See also</i> Modiano Decl. (Dkt. 229) ¶ 5.	
27 28	Exhibit 158 to the Declaration of Geoffrey Sigler (Dkt. 209-6),	Contains sensitive information regarding medical treatments sought or obtained (PHI/PII,	Granted.
27 28			Granted.

1 2	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3	receipt introduced as Exhibit 10	Renewed Blas Decl. ¶ 4;	
4	to the deposition of named plaintiff LD and bates	Second Blas Decl. (Dkt. 227) ¶ 5). See also Modiano Decl.	
5	numbered	(Dkt. 229) ¶ 5.	
	PLTFIRSTPROD0000484–85.	Contains sensitive information	Constal
6	Exhibit 159 to the Declaration of Geoffrey Sigler (Dkt. 209-6),	regarding medical treatments	Granted.
7	letter introduced as Exhibit 13 to the deposition of named	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
8	plaintiff LD and bates	Second Blas Decl. (Dkt. 227) ¶ 5). See also Modiano Decl.	
9	numbered PLD0001531–41.	(Dkt. 229) ¶ 5.	
10	Exhibit 162 to the Declaration	Contains sensitive information regarding medical treatments	Granted.
11	of Geoffrey Sigler (Dkt. 209-7) at 110:10-16, 22-25, certified	sought or obtained (PHI/PII,	
12	transcript of Volume I of the	Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227)	
13	deposition of named plaintiff DB taken in this matter on June	¶ 5).	
14	7, 2022.		
15			
	Narrowed version refiled concurrently herewith.		
16	Exhibit 163 to the Declaration	Contains sensitive information	Granted.
17	of Geoffrey Sigler (Dkt. 209-7) at 136:1-137:11, 150:24-151:8,	regarding medical treatments sought or obtained (PHI/PII,	
18	151:16-25, 168:17-25; 213:1-4,	Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227)	
19	21-25, certified transcript of Volume II of the deposition of	¶ 5).	
20	named plaintiff DB taken in		
21	this matter on June 28, 2022.		
22	Narrowed version refiled		
23	concurrently herewith.		
24	Exhibit 169 to the Declaration	Contains sensitive information regarding medical treatments	Granted.
25	of Geoffrey Sigler (Dkt. 209-7), letter introduced as Exhibit 11	sought or obtained (PHI/PII,	
	to the deposition of named	Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227)	
26	plaintiff DB and bates numbered	¶ 5). See also Modiano Decl.	
27	PLTFIRSTPROD0000001– 178.	(Dkt. 229) ¶ 5).	
28	170.		

1 2	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3	Exhibit 172 to the Declaration of Geoffrey Sigler (Dkt. 209-8)	Contains sensitive information regarding medical treatments	Granted.
4	at 25:6-11, 25:16-23, 26:2-5, 26:20-23, certified transcript of	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
5	the deposition of named plaintiff CJ taken in this matter	Second Blas Decl. (Dkt. 227) ¶ 5).	
7	on June 15, 2022.		
8	Narrowed version refiled		
9	concurrently herewith.		
10	Exhibit 173 to the Declaration of Geoffrey Sigler (Dkt. 209-8),	Contains sensitive information regarding medical treatments	Granted.
11	document introduced as Exhibit 2 to the deposition of named	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227)	
12	plaintiff CJ and bates PLD0003380–3382.	¶ 5). <i>See also</i> Modiano Decl. (Dkt. 229) ¶ 5.	
13	Exhibit 174 to the Declaration	Contains sensitive information	Granted.
14	of Geoffrey Sigler (Dkt. 209-8),	regarding medical treatments	Granted.
15	letter introduced as Exhibit 5 to the deposition of named	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
16	plaintiff CJ and bates numbered PLTFIRSTPROD0000447.	Second Blas Decl. (Dkt. 227) ¶ 5). <i>See also</i> Modiano Decl.	
17 18	Exhibit 175 to the Declaration	(Dkt. 229) ¶ 5 Contains sensitive information regarding medical treatments	Granted.
19	of Geoffrey Sigler (Dkt. 209-8), invoice introduced as Exhibit 6	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
20	to the deposition of named plaintiff CJ and bates numbered	Second Blas Decl. (Dkt. 227) ¶ 5). See also Modiano Decl.	
21	PLTFIRSTPROD0000471.	(Dkt. 229) ¶ 5.	
22	Exhibit 176 to the Declaration of Geoffrey Sigler (Dkt. 209-8),	Contains sensitive information regarding medical treatments	Granted.
23	receipt introduced as Exhibit 8 to the deposition of named	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
24	plaintiff CJ and bates numbered	Second Blas Decl. (Dkt. 227) ¶ 5). <i>See also</i> Modiano Decl.	
25	PLD0003386–88.	(Dkt. 229) ¶ 5.	
26	Exhibit 178 to the Declaration of Geoffrey Sigler (Dkt. 209-8),	Contains sensitive information regarding medical treatments	Granted.
27	letter introduced as Exhibit 10 to the deposition of named	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
28	1	Second Blas Decl. (Dkt. 227)	

1	Document or Portion of Document Sought to Be	Evidence Offered in Support	Ruling
2	Sealed	of Sealing	Kumig
3	plaintiff CJ and bates numbered UBH000002426.	(Dkt. 229) ¶ 5.	
5	Exhibit 179 to the Declaration of Geoffrey Sigler (Dkt. 209-8),	Contains sensitive information regarding medical treatments sought or obtained (PHI/PII,	Denied as overbroad.
6	named plaintiff BW's supplemental response to UBH's first set of	Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227)	
7	interrogatories, dated July 15, 2022.	\P 5). See also Modiano Decl. (Dkt. 229) \P 5.	
8	Exhibit 180 to the Declaration	Contains sensitive information	Denied as overbroad.
9	of Geoffrey Sigler (Dkt. 209-8), named plaintiff RH's	regarding medical treatments sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
11	supplemental response to UBH's first set of	Second Blas Decl. (Dkt. 227) ¶ 5). See also Modiano Decl.	
12	interrogatories, dated July 15, 2022.	(Dkt. 229) ¶ 5.	
13	Exhibit 181 to the Declaration of Geoffrey Sigler (Dkt. 209-9),	Contains sensitive information regarding medical treatments	Denied as overbroad.
14	named plaintiff LD's	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
15	supplemental response to UBH's first set of interrogatories, dated July 15,	Second Blas Decl. (Dkt. 227) ¶ 5). <i>See also</i> Modiano Decl.	
16	2022.	(Dkt. 229) ¶ 5.	
17 18	Exhibit 182 to the Declaration of Geoffrey Sigler (Dkt. 209-9),	Contains sensitive information regarding medical treatments	Denied as overbroad.
19	named plaintiff DB's supplemental response to	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227)	
20	UBH's first set of interrogatories, dated July 15,	¶ 5). <i>See also</i> Modiano Decl. (Dkt. 229) ¶ 4.	
21	Exhibit 183 to the Declaration	Contains sensitive information	Danied as exemples d
22	of Geoffrey Sigler (Dkt. 209-9),	regarding medical treatments sought or obtained (PHI/PII,	Denied as overbroad.
23	named plaintiff CJ's supplemental response to	Renewed Blas Decl. ¶ 4;	
24	UBH's first set of interrogatories, dated July 15,	Second Blas Decl. (Dkt. 227) ¶ 5). <i>See also</i> Modiano Decl.	
25	2022.	(Dkt. 229) ¶ 4. Contains highly confidential	
26	Portions of Exhibit 184 to the Declaration of Geoffrey Sigler	and commercially-sensitive information about MultiPlan's	Granted as to the specified citations only.
27 28	(Dkt. 209-9), a transcript of the September 26, 2022 deposition of Plaintiffs' proposed expert,	proprietary Viant OPR product. The public disclosure of such	
-0	or running proposed expert,		

1	Document or Portion of Document Sought to Be	Evidence Offered in Support	Ruling
2	Sealed	of Sealing	. 6
3	Dr. Robert L. Ohsfeldt, 83:7-87:20; 88:18-89:19; 92:2-12;	information would cause immediate and irreparable	
4	92:15-93:10; 94:2-96:12; 97:15-98:17; 99:2-19; 107:4-	harm to MultiPlan's business, as well as its relationship with	
5	108:16; 113:21-116:17; 118:24- 120:4; 122:4-125:4; 128:16-19;	United, one of its clients. In particular, this information, if	
6 7	128:21-129:23; 133:1-136:1; 161:2-162:24; 163:4-164:6;	disclosed, would place MultiPlan at a commercial	
8	198:17-200:13; 203:15-204:25.	disadvantage by undermining its role in the highly	
9		competitive market for the	
10		provision of cost-containment services (Supp. Wilde Decl. (227-4) ¶ 7-9).	
11	Exhibit 189 to the Declaration	Contains sensitive information	Granted.
12	of Geoffrey Sigler (Dkt. 209-9) 131:1-10, 131:15-22, 132:20-	regarding medical treatments sought or obtained (PHI/PII,	
13	25, excerpts from the certified transcript of Volume I of the	Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227)	
14	Rule 30(b)(6) deposition of	¶ 5).	
15	Summit Estate, by its designee Joan Borsten, taken in this		
16	matter on July 28, 2022.		
17	Narrowed version refiled		
18	concurrently herewith.	Document intentionally	
19	Exhibit 190 to the Declaration of Geoffrey Sigler (Dkt. 209-9),	withdrawn because it was not	
20	excerpts from the certified transcript of Volume I of the	cited to or relied upon in the briefing. <i>See</i> Renewed Blas	
21	Rule 30(b)(6) deposition of	Decl., Appendix.	
22	Summit Estate, by its designee Joan Borsten, taken in this		
23	matter on July 28, 2022.	Contains sensitive information	Created
24	Exhibit 192 to the Declaration of Geoffrey Sigler (Dkt. 209-	regarding medical treatments sought or obtained (PHI/PII,	Granted.
25	10), documents introduced as Exhibits 4–30 to the deposition	Renewed Blas Decl. ¶ 4;	
26	of Summit Estate (Joan Borsten).	Second Blas Decl. (Dkt. 227) ¶ 5).	
27 28	Exhibit 193 to the Declaration of Geoffrey Sigler (Dkt. 209-	Contains sensitive information regarding medical treatments	Granted.

1 2	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3		sought or obtained (PHI/PII,	
4	Exhibits 1–7 and 9–14 to the deposition of Summit Estate	Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227)	
	=	¶ 5).	
5	L LEXINDIT 194 to the Declaration L	Contains sensitive information	Granted.
6	of Geoffiey Sigler (Dkt. 209-	regarding medical treatments sought or obtained (PHI/PII,	
7	1 1 101 (0) 630(0) 661(0) 010(0) 661 00 1	Renewed Blas Decl. ¶ 4;	
8	subpoena from United	Second Blas Decl. (Dkt. 227) ¶ 5).	
	Defendants as SUMMIT 07036 and introduced as Exhibit 8 to	<i>3)</i> .	
9	the deposition of Summit Estate		
10	(Creyna Franco) taken in this		
11	matter on June 28, 2022.	Spreadsheet contains sensitive	
12	of Geoffrey Sigler (Dkt 209-	information regarding medical	Granted.
	10), spreadsheets produced by	treatments sought or obtained (PHI/PII, Renewed Blas Decl.	
13	Summit Estate in response to a	¶ 4; Second Blas Decl. (Dkt.	
14	i isiinnoena moni umileo -	227) ¶ 5).	
15	SUMMIT 07037.		
16	Exhibit 198 to the Declaration	Spreadsheet contains sensitive information regarding medical	Granted.
		treatments sought or obtained	
17	Summit Estate in response to a	(PHI/PII, Renewed Blas Decl.	
18	subpoena from Office	¶ 4; Second Blas Decl. (Dkt. 227) ¶ 5).	
19	Defendants in this action as SUMMIT 07038.	, " ,	
20	Exhibit 200 to the Declaration	Spreadsheet contains sensitive	Granted.
21	of Geoffrey Sigler (Dkt. 209-	information regarding medical treatments sought or obtained	
		(PHI/PII, Renewed Blas Decl.	
22	subpoena from United	¶ 4; Second Blas Decl. (Dkt.	
23	Defendants in this action as	227) ¶ 5).	
24	SUMMIT 07039.	Spreadsheet contains sensitive	Countrie
25	O GeOHIEV SIVIELUJKI /U9-	information regarding medical	Granted.
	11), spreadsheets produced by	treatments sought or obtained (PHI/PII, Renewed Blas Decl.	
26	L TAHIHIH ESIME III IESDOUSE IO A. T.	¶ 4; Second Blas Decl. (Dkt.	
27	Defendants in this action as	227) ¶ 5).	
28	SUMMIT 07040.		

1 2	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3	Exhibit 205 to the Declaration	Spreadsheet contains sensitive information regarding medical	Granted.
4	of Geoffrey Sigler (Dkt. 209- 11), spreadsheets produced by	treatments sought or obtained (PHI/PII, Renewed Blas Decl.	
5	Summit Estate in response to a subpoena from United	¶ 4; Second Blas Decl. (Dkt. 227) ¶ 5 Second Blas Decl.	
6	Defendants as SUMMIT 7077 and introduced as Exhibit 35 to	(Dkt. 227) ¶ 5).	
7	the deposition of Joan Borsten taken in this matter on July 28,		
8	2022.	Spreadsheet contains sensitive	
9 10	Exhibit 206 to the Declaration of Geoffrey Sigler (Dkt. 209-	information regarding medical treatments sought or obtained	Granted.
11	11), spreadsheets produced by Summit Estate in response to a	(PHI/PII, Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt.	
12	subpoena from United Defendants as SUMMIT 7078	14, Second Bias Deci. (DRt. 227) ¶ 5).	
13	and introduced as Exhibit 36 to the deposition of Joan Borsten		
14	taken in this matter on July 28, 2022.		
15	Exhibit 207 to the Declaration	Spreadsheet contains sensitive information regarding medical	Granted.
16	of Geoffrey Sigler (Dkt. 209- 11), spreadsheets produced by	treatments sought or obtained (PHI/PII, Renewed Blas Decl.	
17	Summit Estate in response to a subpoena from United	¶ 4; Second Blas Decl. (Dkt. 227) ¶ 5).	
18	Defendants in this action as SUMMIT 7079 and introduced	221) 3).	
19	as Exhibit 37 to the deposition of Joan Borsten taken in this		
20	matter on July 28, 2022.	Spreadsheet contains sensitive	
21 22	Exhibit 208 to the Declaration of Geoffrey Sigler (Dkt. 209-	information regarding medical treatments sought or obtained	Granted.
23	11), spreadsheets produced by Summit Estate in response to a	(PHI/PII, Renewed Blas Decl.	
24	subpoena from United Defendants as SUMMIT 7080	¶ 4; Second Blas Decl. (Dkt. 227) ¶ 5).	
25	and introduced as Exhibit 38 to		
26	the deposition of Joan Borsten taken in this matter on July 28,		
27	2022. Exhibit 210 to the Declaration	Contains names of third parties	Granted as to PHI/PII only.
28	of Geoffrey Sigler (Dkt. 209-	and sensitive information regarding medical treatments	

1 2	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
2 3 4 5 6 7 8 9	Sealed 11), transcript by the court reporting service, Veritext, of a call recording separately produced by third party Ocean Breeze Recovery as an audio file bates numbered OBR000089. Exhibit 211 to the Declaration of Geoffrey Sigler (Dkt. 209-12), transcript by the court reporting service, Veritext, of a call recording separately produced by third party Ocean		Granted as to PHI/PII only.
11	Breeze Recovery as an audio file bates numbered OBR000090.	3).	
12 13 14 15 16 17	Exhibit 212 to the Declaration of Geoffrey Sigler (Dkt. 209-12), transcript by the court reporting service, Veritext, of a call recording separately produced by third party Ocean Breeze Recovery as an audio file bates numbered OBR000091.	Contains names of third parties and sensitive information regarding medical treatments sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227) ¶ 5).	Granted as to PHI/PII only.
18 19 20 21 22	Exhibit 213 to the Declaration of Geoffrey Sigler (Dkt. 209-12), transcript by the court reporting service, Veritext, of a call recording separately produced by third party Ocean Breeze Recovery as an audio file bates numbered OBR000092.	Contains names of third parties and sensitive information regarding medical treatments sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227) ¶ 5).	Granted as to PHI/PII only.
 23 24 25 26 27 28 	Exhibit 214 to the Declaration of Geoffrey Sigler (Dkt. 209-12), transcript by the court reporting service, Veritext, of a call recording separately produced by third party Ocean Breeze Recovery as an audio file bates numbered OBR000093.	Contains names of third parties and sensitive information regarding medical treatments sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227) ¶ 5).	Granted as to PHI/PII only.

1			
$\begin{bmatrix} 1 \\ 2 \end{bmatrix}$	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3	Exhibit 215 to the Declaration of Geoffrey Sigler (Dkt. 209-	Contains names of third parties and sensitive information	Granted as to PHI/PII only.
5	12), transcript by the court reporting service, Veritext, of a	regarding medical treatments sought or obtained (PHI/PII,	
6	call recording separately produced by third party	Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227)	
7	Pathway to Hope as an audio file bates numbered	¶ 5).	
8	PTH000102. Exhibit 216 to the Declaration	Contains names of third parties	Granted as to PHI/PII only.
9	of Geoffrey Sigler (Dkt. 209- 12), transcript by the court	and sensitive information regarding medical treatments	Granica as to 1111/111 only.
10	reporting service, Veritext, of a call recording separately	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
12	produced by third party Pathway to Hope as an audio	Second Blas Decl. (Dkt. 227) ¶ 5).	
13	file bates numbered PTH000103.		
14	Exhibit 217 to the Declaration of Geoffrey Sigler (Dkt. 209-	Contains names of third parties and sensitive information	Granted as to PHI/PII only.
15 16	12), transcript by the court reporting service, Veritext, of a	regarding medical treatments sought or obtained (PHI/PII,	
17	call recording separately produced by third party	Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227) ¶ 5).	
18	Pathway to Hope as an audio file bates numbered	3).	
19	PTH000104. Exhibit 218 to the Declaration	Contains names of third parties	Granted as to PHI/PII only.
20	of Geoffrey Sigler (Dkt. 209- 12), transcript by the court	and sensitive information regarding medical treatments	
21	reporting service, Veritext, of a call recording separately	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
22 23	produced by third party Pathway to Hope as an audio	Second Blas Decl. (Dkt. 227) ¶ 5).	
24	file bates numbered PTH000105.		
25	Exhibit 219 to the Declaration of Geoffrey Sigler (Dkt. 209-	Contains names of third parties and sensitive information	Granted as to PHI/PII only.
26	12), transcript by the court reporting service, Veritext, of a	regarding medical treatments sought or obtained (PHI/PII,	
27	call recording separately produced by third party	Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227)	
28	produced by time party	¶ 5).	

20

1 2	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3	Pathway to Hope as an audio file bates numbered PTH000106.		
5	Exhibit 220 to the Declaration of Geoffrey Sigler (Dkt. 209-12), transcript by the court	Contains names of third parties and sensitive information regarding medical treatments	Granted as to PHI/PII only.
7	reporting service, Veritext, of a call recording separately produced by third party	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227)	
8	Pathway to Hope as an audio file bates numbered	¶ 5).	
10	PTH000107. Exhibit 221 to the Declaration	Contains names of third parties and sensitive information	Granted as to PHI/PII only.
11 12	of Geoffrey Sigler (Dkt. 209- 13), transcript by the court reporting service, Veritext, of a	regarding medical treatments sought or obtained (PHI/PII,	
13	call recording separately produced by third party	Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227) ¶ 5).	
14 15	Pathway to Hope as an audio file bates numbered PTH000108.		
16	Exhibit 222 to the Declaration of Geoffrey Sigler (Dkt. 209-	Contains names of third parties and sensitive information regarding medical treatments	Granted as to PHI/PII only.
17 18	13), transcript by the court reporting service, Veritext, of a call recording separately	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
19	produced by third party Pathway to Hope as an audio	Second Blas Decl. (Dkt. 227) ¶ 5).	
20	file bates numbered PTH000109.	Contains names of third parties	
21 22	Exhibit 223 to the Declaration of Geoffrey Sigler (Dkt. 209-	and sensitive information regarding medical treatments	Granted as to PHI/PII only.
23	13), transcript by the court reporting service, Veritext, of a call recording separately	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
2425	produced by third party Pathway to Hope as an audio	Second Blas Decl. (Dkt. 227) ¶ 5).	
26	file bates numbered PTH000110.	Contains names of third routing	
27 28	Exhibit 224 to the Declaration of Geoffrey Sigler (Dkt. 209-13), transcript by the court	Contains names of third parties and sensitive information regarding medical treatments sought or obtained (PHI/PII,	Granted as to PHI/PII only.

1 2	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3 4 5	reporting service, Veritext, of a call recording separately produced by third party Pathway to Hope as an audio file bates numbered PTH000111.	Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227) ¶ 5).	
6 7 8 9 10	Exhibit 225 to the Declaration of Geoffrey Sigler (Dkt. 209-13), transcript by the court reporting service, Veritext, of a call recording separately produced by third party PCI West Lake as an audio file bates numbered CSVOB225.	Contains names of third parties and sensitive information regarding medical treatments sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227) ¶ 5).	Granted as to PHI/PII only.
11 12 13 14 15	Exhibit 226 to the Declaration of Geoffrey Sigler (Dkt. 209-13), transcript by the court reporting service, Veritext, of a call recording separately produced by third party PCI West Lake as an audio file bates numbered JMVOB224.	Contains names of third parties and sensitive information regarding medical treatments sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227) ¶ 5).	Granted as to PHI/PII only.
16 17 18 19 20 21 22 23 24	Exhibit 227 to the Declaration of Geoffrey Sigler (Dkt. 209-13), presentation titled "JPMC Out-Of-Network Programs" produced by JPMorganChase in this action in response to a subpoena by Plaintiffs as JPMorgan Chase_000130-000145.	Contains information about fee arrangements with UHC customers (Category 1, Second Paradise Decl. (Dkt. 215-4) ¶ 4) and commercially sensitive information regarding United's proprietary out-of-network programs, including specific details of financial arrangements that are still in effect between UHC and a third party plan sponsor, plan features, and handwritten notes made by a third party plan sponsor (Renewed Paradise Decl. ¶ 4; see also Category 2,	Tentatively denied as overbroad. No indication of which if any provisions remain competitive in 2023. Some of these documents are unsigned and are drafts. Many provisions are generic. More specific information is required.
25262728	Exhibit 228 to the Declaration of Geoffrey Sigler (Dkt. 209-13), written answers to	Second Paradise Decl. (Dkt. 215-4) ¶ 5). Contains information about fee arrangements with UHC customers (Category 1, Second Paradise Decl. ¶) and	Granted.

22

$\begin{bmatrix} 1 \\ 2 \end{bmatrix}$	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3	deposition questions provided by a third-party plan sponsor,	commercially sensitive information regarding United's	
4	Union Pacific, in response to a	proprietary out-of-network	
5	deposition subpoena by Plaintiffs, 2:17-22.	programs (Category 2, Second Paradise Decl. ¶ 5). <i>See also</i> Renewed Sullivan Decl. ¶	
6		14(d); Sullivan Decl. (Dkt.	
7	Narrowed version refiled concurrently herewith.	231) \P 14(a).	
8	Exhibit 228 to the Declaration	Contains information about fee arrangements with UHC	Granted.
9	of Geoffrey Sigler (Dkt. 209- 13), written answers to	customers (Category 1, Second	
10	deposition questions provided	Paradise Decl. (Dkt. 215-4) ¶ 4). <i>See also</i> Renewed	
11	by a third-party plan sponsor, Union Pacific, in response to a	Sullivan Decl. ¶ 14(d); Sullivan Decl. (Dkt. 231) ¶ 14(b).	
12	deposition subpoena by Plaintiffs, 3:8-18.	Deci. (Drt. 231) 14(0).	
13			
14	Narrowed version refiled		
15	concurrently herewith. Exhibit 228 to the Declaration	Contains information about fee	Granted.
16	of Geoffrey Sigler (Dkt. 209-	arrangements with UHC customers (Category 1, Second	Grantos:
17	13), written answers to deposition questions provided	Paradise Decl. (Dkt. 215-4) ¶ 4) and commercially sensitive	
18	by a third-party plan sponsor, Union Pacific, in response to a	information regarding United's	
19	deposition subpoena by Plaintiffs, 6:3-15.	proprietary out-of-network programs (Category 2, Second	
20	1 minui 13, 0.5 15.	Paradise Decl. (Dkt. 215-4) ¶ 5). See also Renewed	
21	Narrowed version refiled concurrently herewith.	Sullivan Decl. ¶ 14(d); Sullivan Decl. (Dkt. 231) ¶ 14(c).	
22	Exhibit 228 to the Declaration	Contains information about fee	Granted.
23	of Geoffrey Sigler (Dkt. 209- 13), written answers to	arrangements with UHC customers (Category 1, Second	
24	deposition questions provided	Paradise Decl. (Dkt. 215-4) ¶ 4) and commercially sensitive	
25	by a third-party plan sponsor, Union Pacific, in response to a	information regarding United's proprietary out-of-network	
26	deposition subpoena by Plaintiffs, 7:1-25.	programs (Category 2, Second	
27	,	Paradise Decl. (Dkt. 215-4) ¶ 5). <i>See also</i> Renewed	
28			

1 2	Document or Portion of Document Sought to Be	Evidence Offered in Support of Sealing	Ruling
3	Narrowed version refiled concurrently herewith.	Sullivan Decl. ¶ 14(d); Sullivan Decl. (Dkt. 231) ¶ 14(d).	
4 5 6 7	Exhibit 230 to the Declaration of Geoffrey Sigler (Dkt. 209-13), chart listing the random sample selected by the United Defendants, using RAT-STATS.	Contains names of third parties and sensitive information regarding medical treatments sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227) ¶ 5).	Granted.
8 9 10 11 12 13	Excerpts from the Declaration of Sean Crandell (Dkt. 211), ¶¶ 9–19, 22, 25–43, 47–55, 57–61, and 64–67.	Contains highly detailed, proprietary information regarding the Viant OPR product design and methodology that, if disclosed, could allow others to copy MultiPlan's approach and could undermine MultiPlan's competitive advantage in the marketplace (Wilde Decl. (Dkt.	Granted.
14		215-5) ¶¶ 19-21)). Contains highly confidential,	C 1
15 16	Exhibit A to the Declaration of Sean Crandell, the Viant OPR Explanation of Methodology	proprietary, and commercially sensitive information involving MultiPlan's proprietary Viant	Granted.
17 18	dated June 2009.	OPR product design and methodology, the public disclosure of which would	
19		cause immediate and irreparable harm to MultiPlan's	
20		business; describes and explains in detail MultiPlan's	
21		proprietary Viant OPR product	
22		design and methodology; contains specific step-by-step	
23		processes for calculating claims reimbursement	
24		recommendations using MultiPlan's proprietary Viant	
25		OPR product and methodology, as well as an explanation of	
26		how the methodology was developed and how it works,	
27		all of which could be used by MultiPlan's competitors to	
28		iviuminan's competitors to	

1 2	Document or Portion of Document Sought to Be	Evidence Offered in Support of Sealing	Ruling
	Sealed	0	
3		"reverse engineer" its	
4		proprietary Viant OPR product and methodology (Wilde Decl.	
7		(Dkt. 215-5) ¶¶ 10, 13, 15;	
5		Crandell Decl. (Dkt. 211)	
6		¶¶ 13, 25).	
7		Further, the information	
8		contained in this document	
0		continues to be proprietary and confidential. While the date of	
9		this document is more than 3	
10		years old and while certain	
10		portions have been updated, the	
11		document as a whole remains	
12		relevant and it reflects and is	
12		consistent with current practices.	
13		Contains highly confidential,	C I
14	Exhibit B to the Declaration of	proprietary, and commercially	Granted.
14	Sean Crandell, the Viant OPR Explanation of Methodology	sensitive information involving	
15	dated June 2016.	MultiPlan's proprietary Viant	
16		OPR product design and	
10		methodology, the public disclosure of which would	
17		cause immediate and	
18		irreparable harm to MultiPlan's	
10		business; describes and	
19		explains in detail MultiPlan's	
20		proprietary Viant OPR product	
20		design and methodology;	
21		contains specific step-by-step processes for calculating claims	
22		reimbursement	
		recommendations using	
23		MultiPlan's proprietary Viant	
24		OPR product and methodology,	
4		as well as an explanation of	
25		how the methodology was developed and how it works,	
26		all of which could be used by	
ا ۵		MultiPlan's competitors to	
27		"reverse engineer" its	
28		proprietary Viant OPR product	
40		and methodology (Wilde Decl.	

25

1	D (D ()		
$\begin{bmatrix} 1 \\ 2 \end{bmatrix}$	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3		(Dkt. 215-5) ¶¶ 10, 13, 15;	
4		Crandell Decl. (Dkt. 211) ¶¶ 13, 25).	
5		Example 1 the information	
6		Further, the information contained in this document	
		continues to be proprietary and confidential. While the date of	
7		this document is more than 3	
8		years old and while certain portions have been updated, the	
9		document as a whole remains	
10		relevant and it reflects and is consistent with current	
11		practices.	
12	Exhibit C to the Declaration of Sean Crandell, the Viant OPR	Provides a detailed explanation of the proprietary Viant OPR	Granted.
13	Module, or "whitepaper," dated	product design and methodology, including how it	
14	September 2018.	was developed and how it	
15		works (Wilde Decl. (Dkt. 215-5) ¶¶ 14, 15; Crandell Decl.	
		(Dkt. 211) ¶¶ 13, 25).	
16		Further, the information	
17		contained in this document	
18		continues to be proprietary and confidential. While the date of	
19		this document is more than 3 years old and while certain	
20		portions have been updated, the	
21		document as a whole remains relevant and it reflects and is	
22		consistent with current	
23		practices. Contains commercially	C 4 1
24	Exhibit D to the Declaration of Sean Crandell, a document	sensitive information	Granted.
	titled "Behavioral Outpatient Health—Standard Missing	describing the various components of Viant's	
25	Value Approach	proprietary OPR methodology (Crandell Decl. (Dkt. 211)	
26		¶ 43). Internal document from	
27		2015, kept confidential within MultiPlan, that provides	
28		information concerning the	
n & P		26	

1	Document or Portion of	Evidence Offered in Support	D., li., c
2	Document Sought to Be Sealed	of Sealing	Ruling
3		process by which MultiPlan	
4		supplies missing values that are require to price certain	
7		outpatient claims. This	
5		particular document and the	
6		methodology it sets forth is proprietary to MultiPlan.	
7		Public disclosure of this	
		document, and the proprietary	
8		methodology described therein, would allow others to copy	
9		MultiPlan's approach, to its	
10		commercial and competitive	
		detriment (Wilde Decl. (Dkt. 215-5) ¶ 16).	
11		213-3) 10).	
12		Further, the information	
13		contained in this document continues to be proprietary and	
14		confidential. While the date of	
		this document is more than 3	
15		years old and while certain portions have been updated, the	
16		document as a whole remains	
17		relevant and it reflects and is	
		consistent with current practices.	
18	Exhibit E to the Declaration of	Contains commercially	Granted.
19	Sean Crandell, MultiPlan	sensitive information	Ordined.
20	PowerPoint presentation.	describing the various components of Viant's	
21		proprietary OPR methodology	
		(Crandell Decl. (Dkt. 111) ¶ 64 n.9). Confidential marketing	
22		presentation made by	
23		MultiPlan to United, which	
24		presentation is replete with details about the proprietary	
25		Viant OPR methodology and	
		contains sensitive analyses	
26		about product design features, and reveals client-specific	
27		strategy. Presentation	
28		materials, like Exhibit E, which	
		is unique to United, are not	

1 2	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3	Scarcu	disseminated publicly.	
		Disclosure of this highly	
4		sensitive and proprietary	
5		information could not only harm MultiPlan's relationship	
6		with United, but also place	
		MultiPlan at a commercial	
7		disadvantage by undermining its role in the highly	
8		competitive market for the	
9		provision of cost- containment	
		services. (Wilde Decl. (Dkt. 215-5) ¶ 17).	
10		 	
11		Further, the information	
12		contained in this document continues to be proprietary and	
		confidential. While the date of	
13		this document is more than 3	
14		years old and while certain portions have been updated, the	
15		document as a whole remains	
		relevant and it reflects and is	
16		consistent with current	
17		practices. Contains highly detailed,	
18	Excerpts from the Declaration of Kathleen Praxmarer (Dkt.	proprietary information	Denied as to PP 9, 10, and 14. Otherwise granted, <i>but see</i> ,
	212), ¶¶ 9–17.	regarding the Viant OPR	supra, n.1.
19		product design and methodology that, if disclosed,	
20		could allow others to copy	
21		MultiPlan's approach and	
		could undermine MultiPlan's competitive advantage in the	
22		marketplace (Wilde Decl. (Dkt.	
23		215-5) ¶¶ 19-21).	
24	Exhibit A to the Declaration of	Contains detailed descriptions	Granted.
	Kathleen Praxmarer, Viant	of Viant's Patient Advocacy Process and its Provider	
25	Facility Outpatient U&C Review Service: Explanation of	Inquiry Management Service;	
26	Methodology	describes the various	
27		components of Viant's proprietary OPR service and	
		methodology as it existed for	
28		the time period at issue in the	

28

1	Document or Portion of		
2	Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3		Lawsuit (Praxmarer Decl. (Dkt. 212) ¶¶ 10, 13 n.1); Contains	
4		highly confidential,	
5		proprietary, and commercially	
3		sensitive information involving MultiPlan's proprietary Viant	
6		OPR product design and	
7		methodology, the public	
8		disclosure of which would cause immediate and	
0		irreparable harm to MultiPlan's	
9		business; describes and	
10		explains in detail MultiPlan's	
11		proprietary Viant OPR product design and methodology;	
11		contains specific step-by-step	
12		processes for calculating claims	
13		reimbursement recommendations using	
14		MultiPlan's proprietary Viant	
14		OPR product and methodology,	
15		as well as an explanation of how the methodology was	
16		developed and how it works,	
17		all of which could be used by	
1/		MultiPlan's competitors to	
18		"reverse engineer" its proprietary Viant OPR product	
19		and methodology (Wilde Decl.	
20		(Dkt. 215-5) $\P\P$ 10, 13, 15).	
20		Further, the information	
21		contained in this document	
22		continues to be proprietary and	
23		confidential. While the date of this document is more than 3	
		years old and while certain	
24		portions have been updated, the	
25		document as a whole remains relevant and it reflects and is	
26		consistent with current	
		practices	
27	Exhibit B to the Declaration of	Contains detailed descriptions	Granted.
28	Kathleen Praxmarer, Viant	of Viant's Patient Advocacy Process and its Provider	
n &		29	

1	Document or Portion of	Evidence Offered in Support	
2	Document Sought to Be Sealed	of Sealing	Ruling
3	Facility Outpatient U&C	Inquiry Management Service;	
	Review Service: Explanation of	describes the various	
4	Methodology	components of Viant's proprietary OPR service and	
5		methodology as it existed for	
		the time period at issue in the	
6		Lawsuit (Praxmarer Decl. (Dkt.	
7		212) ¶¶ 10, 13 n.1); Contains	
		highly confidential,	
8		proprietary, and commercially	
9		sensitive information involving	
		MultiPlan's proprietary Viant OPR product design and	
10		methodology, the public	
11		disclosure of which would	
		cause immediate and	
12		irreparable harm to MultiPlan's	
13		business; describes and	
		explains in detail MultiPlan's	
14		proprietary Viant OPR product design and methodology;	
15		contains specific step-by-step	
13		processes for calculating claims	
16		reimbursement	
17		recommendations using	
1/		MultiPlan's proprietary Viant	
18		OPR product and methodology, as well as an explanation of	
19		how the methodology was	
1)		developed and how it works,	
20		all of which could be used by	
21		MultiPlan's competitors to	
21		"reverse engineer" its	
22		proprietary Viant OPR product	
23		and methodology (Wilde Decl. (Dkt. 215-5) ¶¶ 10, 13, 15)	
23		(DRt. 213-3) 10, 13, 13)	
24		Further, the information	
25		contained in this document	
23		continues to be proprietary and	
26		confidential. While the date of	
27		this document is more than 3	
27		years old and while certain portions have been updated, the	
28		document as a whole remains	
		20	

1 2	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3		relevant and it reflects and is	
4		consistent with current practices.	
5	Exhibit C to the Declaration of	Contains detailed descriptions of Viant's Patient Advocacy	Granted.
6	Kathleen Praxmarer, Viant Facility U&C Review:	Process and its Provider	
7	Outpatient Review (OPR) Module	Inquiry Management Service; describes the various components of Viant's	
8		proprietary OPR service and	
9		methodology as it existed for the time period at issue in the	
10		Lawsuit (Praxmarer Decl. (Dkt. 212) ¶¶ 10, 13 n.1). Provides a	
11		detailed explanation of the proprietary Viant OPR product	
12		design and methodology, including how it was developed	
13		and how it works (Wilde Decl. (Dkt. 215-5) ¶¶ 14, 15).	
14			
15		Further, the information contained in this document	
16		continues to be proprietary and confidential. While the date of	
17		this document is more than 3	
18		years old and while certain portions have been updated, the	
19		document as a whole remains relevant and it reflects and is	
20		consistent with current practices.	
21	Exhibit 10 to the Compendium,	Contains sensitive information	Granted.
22	excerpts of business records	regarding medical treatments sought or obtained (PHI/PII,	
23	produced by New Life Treatment Center in response to	Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227)	
24	a subpoena issued by the United Defendants in this	¶ 5).	
25	action, bates numbered between NEW LIFE 01041–01044.		
26	Exhibit 11 to the Compendium	Contains sensitive information	Granted.
27	(Dkt. 210-2), billing records produced by Northeast	regarding medical treatments sought or obtained (PHI/PII,	
28			

$\begin{bmatrix} 1 \\ 2 \end{bmatrix}$	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3	response to a subpoena issued by the United Defendants in	Second Blas Decl. (Dkt. 227) ¶ 5).	
4	this action on July 19, 2022 without bates numbers.	3 <i>)</i> .	
5	Exhibit 13 to the Compendium	Contains sensitive information	Granted.
6	(Dkt. 210-2), billing records	regarding medical treatments sought or obtained (PHI/PII,	
7	produced by Nova Recovery Center in response to a	Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227)	
8	subpoena issued by the United Defendants in this action, bates	¶ 5). See also Nova Recovery	
9	numbered CONFIDENTIAL_NRC00000	Decl. ¶¶ 5-8 (Dkt. 227-2).	
10	1–218.		
11 12	Exhibit 15 to the Compendium (Dkt. 210-2), billing records produced by Ocean Breeze	Contains sensitive information regarding medical treatments sought or obtained (PHI/PII,	Granted.
13	Recovery Center in response to a subpoena issued by the	Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227)	
14	United Defendants in this action, bates numbered	¶ 5). <i>See also</i> Ocean Breeze and Pathway to Hope Recovery	
15	CONFIDENTIAL_OBR00000 1–86.	Centers Decl. (Dkt. 227-3), ¶¶ 5-8.	
16	Exhibit 16 to the Compendium	Contains sensitive information regarding medical treatments	Granted.
17	(Dkt. 210-2), a spreadsheet bates numbered OBR000087	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
18	and produced by Ocean Breeze Recovery in response to a	Second Blas Decl. (Dkt. 227)	
19	subpoena issued by the United Defendants in this action.	¶ 5). <i>See also</i> Ocean Breeze and Pathway to Hope Recovery	
20 21		Centers Decl. (Dkt. 227-3), ¶¶ 5-8.	
22	Exhibit 17 to the Compendium	Contains sensitive information regarding medical treatments	Granted as to PHI/PII.
23	(Dkt. 210-2), transcripts of call recordings produced by Ocean	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
24	Breeze Recovery Center in response to a subpoena issued	Second Blas Decl. (Dkt. 227)	
25	by the United Defendants in this action and transcribed by	¶ 5). Remainder of document filed under provisional seal on	
26	Veritext, bates numbered OBR000089–93.	behalf of Ocean Breeze Recovery Center. <i>See also</i>	
27	ODI(00000)-73.	Ocean Breeze and Pathway to Hope Recovery Centers Decl.	
28		(Dkt. 227-3), ¶¶ 5-8.	
۵۵			

$\begin{bmatrix} 1 \\ 2 \end{bmatrix}$	Document or Portion of Document Sought to Be	Evidence Offered in Support of Sealing	Ruling
3	Sealed Exhibit 18 to the Compendium	Contains sensitive information	Granted.
4	(Dkt. 210-2), a declaration produced by Ryan Schrier on	regarding medical treatments sought or obtained (PHI/PII,	
5	behalf of Pacific Palms Recovery along with billing	Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227)	
6	records and documents	¶ 5; Second Blas Decl. (Dkt. 227) ¶ 5).	
7	produced by Pacific Palms Recovery in response to a		
8	subpoena issued by the United Defendants in this action.		
9	Exhibit 19 to the Compendium (Dkt. 210-2), billing records	Contains sensitive information regarding medical treatments sought or obtained (PHI/PII,	Granted.
11	produced by Pacific Palms Recovery in response to a	Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227)	
12	subpoena issued by the United Defendants in this action, bates	¶ 5).	
13	numbered PPR_LD_UBH0000001-162.		
14	Exhibit 22 to the Compendium	Contains sensitive information regarding medical treatments	Granted.
15	(Dkt. 210-4), billing records produced by Pathway to Hope	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
16	in response to a subpoena issued by the United	Second Blas Decl. (Dkt. 227) ¶ 5. See also Ocean Breeze	
17	Defendants in this action, bates numbered	and Pathway to Hope Recovery	
18	CONFIDENTIAL_PTH000001 -100.	Centers Decl. (Dkt. 227-3), ¶¶ 5-8.	
19	Exhibit 23 to the Compendium	Contains sensitive information regarding medical treatments	Granted.
20	(Dkt. 210-3), a spreadsheet produced by Pathway to Hope	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
21	in response to a subpoena issued by the United	Second Blas Decl. (Dkt. 227)	
22 23	Defendants in this action, bates numbered PTH000101.	¶ 5). See also Ocean Breeze and Pathway to Hope Recovery	
24		Centers Decl. (Dkt. 227-3), ¶¶ 5-8.	
25	Exhibit 24 to the Compendium (Dkt. 210-3), transcripts of call	Contains sensitive information regarding medical treatments	Granted as to PHI/PII.
26	recordings produced by	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
27	Pathway to Hope in response to a subpoena issued by the	Second Blas Decl. (Dkt. 227) ¶ 5). See also Ocean Breeze	
28	United Defendants in this action and transcribed by	and Pathway to Hope Recovery	

1 2	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3	Veritext, bates numbered PTH000102–111.	Centers Decl. (Dkt. 227-3), ¶¶ 5-8.	
4	Exhibit 25 to the Compendium	Contains sensitive information regarding medical treatments	Granted.
5	(Dkt. 210-3), billing records from PCI West Lake Center	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
6 7	produced in response to a subpoena issued by the United Defendants in this action,	Second Blas Decl. (Dkt. 227) ¶ 5).	
8	documents located within bates numbers PCI 00001–423.		
9	Exhibit 26 to the Compendium (Dkt. 210-3), transcripts of call	Contains sensitive information regarding medical treatments	Granted as to PHI/PII.
10	recordings produced by PCI West Lake Center in response	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
11 12	to a subpoena issued by the United Defendants in this	Second Blas Decl. (Dkt. 227) ¶ 5).	
13	action and transcribed by Veritext, bates numbered CS		
14	VOB 225 and JM VOB 224.		
15	Exhibit 27 to the Compendium (Dkt. 210-3), a spreadsheet	Contains sensitive information regarding medical treatments sought or obtained (PHI/PII,	Granted.
16	produced by PCI West Lake Centers in response to a	Renewed Blas Decl. ¶ 4; see also Second Blas Decl. (Dkt.	
17 18	subpoena issued by the United Defendants in this action, bates numbered PCI Confidential.	227) ¶ 5).	
19	Exhibit 29 to the Compendium	Contains sensitive information regarding medical treatments	Granted.
20	(Dkt. 210-3), billing records produced by Recovering	sought or obtained (PHI/PII,	
21	Champions dba Cape Cod Behavioral Health in response	Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227)	
22	to a subpoena issued by the United Defendants in this	¶ 5). .	
23	action on July 19 without bates numbers.		
24	Exhibit 31 to the Compendium	Contains sensitive information regarding medical treatments	Granted.
25	(Dkt. 210-4), billing records produced by Royal Life Centers	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
2627	in response to a subpoena issued by the United	Second Blas Decl. (Dkt. 227) ¶ 5).	
- '	Defendants in this action on	11 - 7-	

28

$\begin{bmatrix} 1 \\ 2 \end{bmatrix}$	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3	June 1, 2022 without bates numbers.		
456	Exhibit 32 to the Compendium (Dkt. 210-4), billing records produced by Silicon Beach Outpatient Treatment Center in	Contains sensitive information regarding medical treatments sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	Granted.
7	response to a subpoena issued by the United Defendants in this action, bates numbered SB000001–12, SB00013–15.	Second Blas Decl. (Dkt. 227) ¶ 5).	
9	Exhibit 33 to the Compendium (Dkt. 210-4), a spreadsheet	Contains sensitive information regarding medical treatments	Granted.
10	produced by South Miami Recovery Center in response to	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4; see	
11 12	a subpoena issued by the United Defendants in this	also Second Blas Decl. (Dkt. 227) ¶ 5).	
13	action on June 29, 2022 without bates numbers.		
14	Exhibit 35 to the Compendium (Dkt. 210-4), billing records	Contains sensitive information regarding medical treatments	Granted.
15 16	produced by Stepping Stone of San Diego in response to a	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4;	
17	subpoena issued by the United Defendants in this action on	Second Blas Decl. (Dkt. 227) ¶ 5).	
18	June 8, 2022 and July 15, 2022 without bates numbers.		
19	Exhibit 36 to the Compendium (Dkt. 210-4), a spreadsheet that	Contains sensitive information regarding medical treatments	Granted.
20	was produced by Stepping Stone of San Diego in response	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4; see	
21 22	to a subpoena issued by the United Defendants in this	also Second Blas Decl. (Dkt. 227) ¶ 5).	
23	action on May 31, 2022 without bates numbers		
24	Exhibit 37 to the Compendium (Dkt. 210-4), a spreadsheet that	Contains sensitive information regarding medical treatments	Granted.
25	was produced by Stepping	sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4; see	
26	to a subpoena issued by the	also Second Blas Decl. (Dkt. 227) \P 5).	
27	action on July 15, 2022 without bates numbers.		
242526	Exhibit 37 to the Compendium (Dkt. 210-4), a spreadsheet that was produced by Stepping Stone of San Diego in response to a subpoena issued by the United Defendants in this action on July 15, 2022 without	regarding medical treatments sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4; see also Second Blas Decl. (Dkt.	Granted.

2	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3 4 5	Exhibit 38 to the Compendium (Dkt. 210-4), an email between Matthew Aiken and employees of Stepping Stone of San Diego.	Contains discussion regarding interpretation of business records for medical treatment of putative class member (PHI, Renewed Blas Decl. ¶ 4; Second Blas Decl. ¶ 5).	Denied except as to PHI/PII.
6 7 8 9 10	Exhibit 45 to the Compendium (Dkt. 210-5), documents produced by Windmill Wellness Ranch in response to a subpoena issued by the United Defendants in this action.	Contains sensitive information regarding medical treatments sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227) ¶ 5).	Granted.
11 12 13 14	Exhibit 46 to the Compendium (Dkt. 210-5), documents produced by Desert Cove Recovery Center in response to a subpoena issued by the United Defendants in this action.	Contains sensitive information regarding medical treatments sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4; Second Blas Decl. (Dkt. 227) ¶ 5).	Granted.
15 16 17 18	Expert Report of Daniel Kessler and accompanying exhibits (Dkt. 213).	Contains sensitive information regarding medical treatments sought or obtained (PHI/PII, Renewed Blas Decl. ¶ 4; <i>see also</i> Second Blas Decl. (Dkt. 227) ¶ 5).	Denied as overbroad.
19 20 21	Plaintiffs' Exhibit 2, the Declaration of Thomas P. Ralston (Dkt. 251-4), ¶¶ 4-30, Exhibit A.	Contains highly confidential and commercially sensitive information that would harm MultiPlan if publicly disclosed. <i>See</i> Third Wilde Decl. (Dkt 265-3) ¶ 9.	Denied as to PP 4 and 7, otherwise granted.
22232425		Contains competitively sensitive information regarding certain features of United's out-of-network programs. Supplemental Paradise Decl. (Dkt. 265-1) ¶ 4.	
262728	Plaintiffs' Exhibit 3, Deposition transcript of Rebecca Paradise (Dkt. 251-6), in full, or in the alternative as follows—Volume 1:73:12–78:25, 160:20–163:25	Contains testimony regarding substantive internal discussions regarding the pricing of particular claims, or responding	Granted as to the alternative, narrower request only.

1 2		Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3		179:6–182:2; Volume 2:104:22–106:4; 229:17–232:2	to inquiries from plan sponsors, members, or healthcare	
4			services providers as well as	
5			testimony regarding highly competitive or commercially	
6			sensitive proprietary and non- public information that would	
7			harm United's business advantage, such as internal	
8			strategic discussions about out-	
9			of-network program features. <i>See</i> Renewed Paradise Decl.	
10			¶ 4; Supplemental Paradise Decl. (Dkt. 265-1) ¶ 5; see also	
11			Renewed Blas Decl. ¶ 3; Third Blas Decl. (Dkt. 265) ¶ 6	
12			(explaining justification for requesting sealing in full).	
13		Plaintiffs' Exhibit 4, Deposition Transcript of Sarah Peterson	Contains testimony regarding	
14		(Dkt. 251-8), in full, or in the alternative as follows—126:2-	highly competitive or commercially sensitive	
15		7, 176:13-16	proprietary and non-public	
16			information that would harm United's business advantage,	
17			such as internal strategic discussions about out-of-	Granted as to the narrower
18			network program features. <i>See</i> Renewed Paradise Decl. ¶ 4;	request, otherwise denied.
19			Supplemental Paradise Decl. (Dkt. 265-1) ¶ 5; see also	
20			Renewed Blas Decl. ¶ 3; Third	
21			Blas Decl. (Dkt. 265) ¶ 6 (explaining justification for	
22		Plaintiffs' Exhibit 5, Deposition	requesting sealing in full).	
23		Transcript of Radames Lopez (Dkt. 251-10), in full, or in the	Contains testimony regarding substantive internal discussions	
24		alternative, as follows—76:1– 85:15, 81:11–90:19, 103:18–	regarding the pricing of particular claims, or responding	Granted as to the narrower
2526		110:17, 149:21–151:4, 161:20–167:19, 292:22–294:1.	to inquiries from plan sponsors, members, or healthcare	request with the exception of
27			services providers as well as testimony regarding highly	89:1-22 and 167:12-19.
28			competitive or commercially	
20 n &			sensitive proprietary and non-	
.P	I		<i>31</i>	

2	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3		public information that would	
		harm United's business	
4		advantage, such as internal strategic discussions about out-	
5		of-network program features.	
6		See Renewed Paradise Decl.	
		¶ 4; Supplemental Paradise Decl. (Dkt. 265-1) ¶ 5; see	
7		also Renewed Blas Decl. ¶ 3;	
8		Third Blas Decl. (Dkt. 265) ¶ 6	
9		(explaining justification for requesting sealing in full).	
10	Plaintiffs' Exhibit 6, Deposition Transcript of Jolene Bradley	Contains discussion of highly	
11	(Dkt. 251-12), in full, or in the	competitive or commercially	
	alternative, as follows—135:12-25.	sensitive proprietary and non- public information that would	
12	155112 25.	harm United's business	
13		advantage, such as internal	
14		strategic discussions about out- of-network program features.	Granted as to the narrower
14		See Renewed Paradise Decl.	request.
15		¶ 4; see also Supplemental	
16		Paradise Decl. (Dkt. 265-1) ¶ 5;	
17		see also Renewed Blas Decl. ¶ 3; Third Blas Decl. (Dkt. 265)	
1/		¶ 6 (explaining justification for	
18		requesting sealing in full) .	
19	Plaintiffs' Exhibit 10, Compendium of Balance Bills	Contains unredacted patient	
	(Dkt. 251-20)	health information and	
20		sensitive information regarding medical treatments obtained.	Granted.
21		See Renewed Blas Decl. ¶ 4;	
22	D1 : .: .: .:	Third Blas Decl. (Dkt. 265) ¶ 8.	
	Plaintiffs' Exhibit 11, Deposition Transcript of Sean	Contains testimony that would	
23	Crandell (Dkt. 251-22).	cause MultiPlan financial and	
24	Specifically, and as identified in MultiPlan's confidentiality	competitive harm if publicly disclosed. <i>See</i> Wilde Decl.	
25	designations pursuant to the	(Dkt 265-3) ¶ 11.	Granted except as to 76:4-6.
26	Protective Order: 25:19-22; 31:3-37:24; 39:6-40:7; 40:16-		Oranica except as to 70.4-0.
	42:8; 43:7-46:15; 46:20- 50:23;		
27	51:10-53:4; 53:15-54:24; 55:14-21; 56:14-59:5; 59:11-		
28	23; 63:16-64:9; 64:14-66:3;		

1 2	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3 4 5 6 7 8 9	8ealed 68:17-69:18; 72:9-74:22; 75:1- 15; 76:4-6; 76:19-78:2; 78:11- 79:23; 80:5-21; 81:4-82:13; 82:17-84:8; 85:11-22; 86:3-13; 87:11-20; 87:24-89:11; 89:24- 90:8; 90:20-93:13; 94:11- 95:22; 97:10-98:19; 99:3-4; 99:6-8; 99:11-100:10; 101:1-4; 101:7-102:15; 103:18-105:6; 105:14-107:6; 107:19-108:18; 114:6-117:20; 117:23-120:13; 120:18-122:15; 122:18-20; 122:22-125:1; 125:17-126:8; 126:17-127:17; 127:21-128:4; 132:3-133:2; 133:7-17; 133:19- 134:3; 134:10-18; 134:22-		
11	135:6; 135:8-20; 135:22-136:3; 136:10-137:6; 137:8-16; 138:5-140:1.		
12 13	Plaintiffs' Exhibit 30, Apple Administrative Services Agreement and amendments	Contains confidential Administrative Services	Tentatively denied as overbroad. No indication of which if any
14	(Dkt. 258-1)	Agreement between UnitedHealthcare Insurance	provisions remain competitive in 2023.
15 16		Company and a plan sponsor, which reflects sensitive and	Some of these documents are unsigned and are drafts. Many
17		proprietary information. Details confidential contractual terms and financial terms	provisions are generic. More specific information is required.
18		which are still in effect currently. Schneewind Decl.	
19 20		(Dkt. 215-3) ¶¶ 4-5 and Renewed Schneewind Decl.	
21		¶¶ 4-5.	
22	Plaintiffs' Exhibit 31, Tesla's		
23	Administrative Services Agreement (Dkt. 258-3)	Contains confidential Administrative Services	Tentatively denied as overbroad. No indication of which if any
24		Agreement between UnitedHealthcare Insurance Company and a plan sponsor,	provisions remain competitive in 2023.
25 26		which reflects sensitive and proprietary information.	Some of these documents are unsigned and are drafts. Many
27		Details confidential contractual terms and financial terms which are still in effect	provisions are generic. More specific information is required.
28	L		

1 2	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3	Scarcu	currently. Schneewind Decl.	
4		(Dkt. 215-3) ¶¶ 4-5 and Renewed Schneewind Decl.	
5		¶¶ 4-5.	
6	Plaintiffs' Exhibit 32, General	Contains confidential	Countried
7	Dynamic's Administrative Service Agreement and amendment (Dkt. 258-5)	Contains confidential Administrative Services Agreement between	Granted.
8	amenument (DRt. 230-3)	UnitedHealthcare Insurance	
9		Company and a plan sponsor, which reflects sensitive and	
10		proprietary information. Details confidential contractual	
11		terms and financial terms which are still in effect	
12		currently. Schneewind Decl. (Dkt. 215-3) ¶¶ 4-5 and	
13		Renewed Schneewind Decl.	
14		¶¶ 4-5.	
15	Plaintiffs' Exhibit 33, Cisco System's Administrative	Contains confidential	Tentatively denied as overbroad.
16 17	Services Agreement and amendment (Dkt. 259-1)	Administrative Services Agreement between UnitedHealthcare Insurance	No indication of which if any provisions remain competitive in 2023.
18		Company and a plan sponsor,	Some of these documents are
19		which reflects sensitive and proprietary information. Details confidential contractual	unsigned and are drafts. Many provisions are generic. More
20		terms and financial terms	specific information is required.
21		which are still in effect currently. Schneewind Decl.	
22		(Dkt. 215-3) ¶¶ 4-5 and Renewed Schneewind Decl.	
23		¶¶ 4-5. See also Cisco Decl., ¶¶ 8-18.	
24	Plaintiffs' Exhibit 34, Raytheon's Administrative	Contains confidential	Tentatively denied as overbroad.
25	Services Agreement (Dkt. 259-3)	Administrative Services Agreement between	No indication of which if any provisions remain competitive in
26		UnitedHealthcare Insurance	2023.
27		Company and a plan sponsor, which reflects sensitive and proprietary information.	Some of these documents are unsigned and are drafts. Many
28		proprietary information.	

1 2	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3	Source	Details confidential contractual	provisions are generic. More
4		terms and financial terms which are still in effect currently. Schneewind Decl.	specific information is required.
5		(Dkt. 215-3) ¶¶ 4-5 and	
6		Renewed Schneewind Decl. ¶¶ 4-5. <i>See also</i> Raytheon	
7		Decl. ¶¶ 4-8.	
8	Plaintiffs' Exhibit 35, Nestle USA's Administrative Services Agreement (Dkt. 259-5)	Contains confidential Administrative Services	Tentatively denied as overbroad. No indication of which if any
9	((,	Agreement between UnitedHealthcare Insurance	provisions remain competitive in 2023.
10		Company and a plan sponsor,	Some of these documents are
11		which reflects sensitive and proprietary information.	unsigned and are drafts. Many provisions are generic. More
12		Details confidential contractual terms and financial terms	specific information is required.
13		which are still in effect currently. Schneewind Decl.	
14		(Dkt. 215-3) $\P\P$ 4-5 and	
15		Renewed Schneewind Decl. ¶¶ 4-5.	
16	Plaintiffs' Exhibit 36, McMaster-Carr Supply	Contains confidential	Tentatively denied as overbroad.
17	Company's Administrative Services Agreement (Dkt. 259- 7)	Administrative Services Agreement between UnitedHealthcare Insurance	No indication of which if any provisions remain competitive in 2023.
18		Company and a plan sponsor, which reflects sensitive and	Some of these documents are
19 20		proprietary information.	unsigned and are drafts. Many provisions are generic. More
21		Details confidential contractual terms and financial terms	specific information is required.
22		which are still in effect currently. Schneewind Decl.	
23		(Dkt. 215-3) ¶¶ 4-5 and Renewed Schneewind Decl.	
24		¶¶ 4-5. <i>See also</i> McMaster-Carr Decl. ¶¶ 6-10.	
25	Plaintiffs' Exhibit 37, Ralston Compendium (Dkts. 263-5,	Contains confidential	
26	263-6, 263-7)	information, none of which is relevant to Plaintiffs' motion.	
27		See Blas Decl. (Dkt. 265) \P 7.	Granted.
28		Contains documents that are confidential to the United-	

1			
2	Document or Portion of Document Sought to Be Sealed	Evidence Offered in Support of Sealing	Ruling
3		MultiPlan business relationship	
4		and not shared outside that relationship. They contain	
5		information the disclosure of which would harm not only	
6		MultiPlan but also adversely	
7		affect its relationship with United if other entities were	
8		able to review the same <i>See</i> Third Wilde Decl. (Dkt 265-3)	
9	Excerpts of Plaintiffs' Exhibit	¶ 10.	
10	39, UHC000018537 (Dkt. 259- 11); portions of pages 2 through	Document contains sensitive, substantive discussions about	
11	9	particular claims or program	
12		features and marketing materials provided to United	
13		customers about those programs. <i>See</i> Renewed	Granted.
14		Paradise Decl. ¶ 4; Supplemental Paradise Decl.	Granted.
15		(Dkt. 265-1) ¶ 4; Renewed Blas	
16		Decl. ¶ 3.	
17			
18	Excerpts of Plaintiffs' Exhibit 40, UHC000048508 (Dkt. 259-	Document contains sensitive	
19	13); portions of pages 2 through 3	internal communications regarding UHC proprietary	
20		internal processes and standard operating procedures, including	
21		changes to proprietary internal processes that reflect business	
22		strategy. See Renewed	Granted.
23		Paradise Decl. ¶ 4; Supplemental Paradise Decl.	Graneu.
24		(Dkt. 265-1) ¶ 4; Renewed Blas Decl. ¶ 3.	
25		2 3 3 11 5 .	
26			
27	Excerpts of Plaintiffs' Exhibit		
28	41. UHC000106755 (Dkt. 259-	Document contains sensitive internal communications	Granted.
۷٥			

1 2	Document or Portion of Document Sought to Be	Evidence Offered in Support of Sealing	Ruling
	Sealed 15); portions of pages 2 through	regarding UHC proprietary	
3		internal processes and standard	
4		operating procedures, including future business plans and	
5		sensitive internal figures, as well as proprietary processes	
6		that are still in existence today. See Renewed Paradise Decl.	
7		¶ 4; Supplemental Paradise	
8		Decl. (Dkt. 265-1) ¶ 4; Renewed Blas Decl. ¶ 3.	
9		Renewed Blus Beel. 3.	
10	D1-:4:66-2 F1-:1-:4-42		
11 12	Strait (Dkt. 259-17), in full, or	Contains testimony of a sensitive and proprietary nature	
13	64:22-25, 159:7–186:21,	regarding substantive internal discussions regarding the	
14		pricing of particular claims, or responding to inquiries from	
15		plan sponsors, members, or healthcare services providers,	
16		see Renewed Paradise Decl. ¶ 4	Granted as to the narrower,
17		& Supplemental Paradise Decl. (Dkt. 265-1) ¶ 5, and	alternative request.
18		discussions of private health information, <i>see</i> Renewed Blas	
19		Decl. ¶ 3; Third Blas Decl. (Dkt. 265) ¶ 8. <i>See also</i> Third	
20		Blas Decl. (Dkt. 265) ¶ 6 (explaining justification for	
21	Plaintiffs' Exhibit 43,	requesting sealing in full).	
22	Deposition Transcript of Mark	Contains testimony that would cause MultiPlan financial and	
23	Specifically, and as identified	competitive harm if publicly disclosed. <i>See</i> Wilde Decl.	
24		(Dkt 265-3) ¶ 11.	
25	34:17-21; 34:23-35:4; 35:6-14; 37:14-38:24; 39:9-42:5; 46:12-		Granted.
26	47:18; 48:14-52:17; 56:18- 57:12; 60:16-62:25; 67:14-		
27	69:5; 72:5-23; 73:1-13; 78:9- 81:7; 85:24-86:12; 91:11-25;		
28	92:4-15; 93:4-16; 94:4-13;		

1	Document or Portion of	Evidence Offered in Support	
2	Document Sought to Be Sealed	of Sealing	Ruling
3	94:22-96:25; 98:20-25; 105:13- 113:7; 113:21-114:12; 123:22-		
4	124:15; 125:13-126:8; 126:21- 127:10; 130:25-131:14; 131:21-		
5	132:10; 132:21-133:22; 134:7- 23; 138: 23-139:13; 141:14-21;		
6	142:4-143:24; 146:14-19; 147:6-13; 149:16-151:5;		
7	156:11-158:16; 166:21-168:1;		
8	169:23-171:11; 175:1-176:1; 184:17-185:22; 192:8-194:1;		
9	195:14-196:4; 198:16-199:9; 200:11-14; 216:14-219:1;		
10	220:6-17; 222:3-14; 232:8- 233:19; 237:14-238:25; 240:12-		
11	242:6; 246:3-21; 250:15- 252:13.		
12	Excerpts from Exhibit M to Plaintiffs' Motion for Class	Contain discussion of the	
13	Certification – Excerpts from the July 14, 2022 deposition of	details of MultiPlan's proprietary methodology,	
	MultiPlan's Vice President of Healthcare Economics, Sean	which, if disclosed, could cause competitive harm to MultiPlan.	
14	Crandell. Specifically, and as identified in MultiPlan's	Crandell Decl. (Dkt. 176-2)	Granted but denied as to 66:1-3
15	confidentiality designations pursuant to the Protective	¶ 15; Wilde Decl. (265-3) ¶ 11.	and 68:17-24.
16	Order: 66:1-3; 68:17-24; 90:20-		
17	24; 91:1-24; 94:11-24; 95:1-22; 114:6-24: 115:1-24; 116:1-24;		
18	125:17-24; 127:21-24: 136:10- 24.		
19	Excerpts from Exhibit S to Plaintiffs' Motion for Class	Contain discussion of	
20	Certification- Excerpts from the July 12, 2022 deposition of	confidential business terms which, if disclosed, could cause	
21	MultiPlan's Senior Vice President of Sales and	competitive harm to MultiPlan. Crandell Decl. (Dkt. 176-2)	
22	Account Management, Jacqueline Kienzle.	¶ 15	Granted but denied as to 136:1.
23	Specifically, and as identified in MultiPlan's confidentiality		
24	designations pursuant to the Protective Order: 95:14-25;		
25	102:1-13; 136:1; 196:22-25; 197:1-25; 273:1-25.		
26			

27

28

Gibson, Dunn &

Crutcher LLP

Further, the Court **DENIES AS MOOT** defendant's request to fix its errata re: Exhibits 52, 54, and 56. (Dkt. No. 338.) The docket reflects that this error has already been fixed. IT IS SO ORDERED. Dated: September 21, 2023

Attachment A



BY FEDEX

Chris Hamby Reporter

T 202 862 0411 chris.hamby@nytimes.com

620 8th Avenue New York, NY 10018 nytimes.com August 4, 2023

Hon. Yvonne Gonzalez Rogers
United States District Court
Northern District of California
Ronald V. Dellums Federal Building and United States Courthouse
1301 Clay Street, Courtroom 1 - 4th Floor
Oakland, CA 94612

Re: LD et al v. United Behavioral Health et al, 4:20-cv-02254

Dear Judge Gonzalez Rogers:

I am an investigative reporter for *The New York Times*, where my research and writing focuses on public health and healthcare. I am writing to the Court regarding sealed records in this case. Specifically, since April the parties have filed dozens of exhibits provisionally under seal in connection with motions on the issue of class certification. *See* Dkt. 305 and 324. My understanding is that your Honor has not ruled yet on whether to actually grant sealing. I ask the Court to promptly and closely review the parties' requests and ensure that the public right of access is enforced here.

There is a substantial public interest in understanding these proceedings, and the extensive sealing and redactions are preventing journalists like me from meaningfully informing the public about the merits and meaning of the litigation. A key question at the heart of this case is whether MultiPlan's reimbursement methodology, as well as United's reliance on it, is appropriate. In my reporting, I have encountered the same question from people affected by MultiPlan's practices: doctors who want to know why their reimbursement was suddenly, and often dramatically, reduced and patients who want to know why they are receiving larger-than-anticipated bills because their insurer paid far less than they expected.

¹ https://www.nytimes.com/by/chris-hamby.



They, as well as the much broader public that may be encountering similar issues without realizing it, deserve to understand – at least at a conceptual level – how MultiPlan arrives at its recommended prices.

The legitimacy of United's use of MultiPlan's repricing tools rests squarely on both parties' claims that these tools provide a fair, objective and independent source of information., The supporting records are essential for patients, medical providers, employer plan sponsors and the broader public whose health and finances are at stake to understand the basis of the Court's decision and the outcome of this case.

It seems fair to assume that if the motion for class certification is denied, it will end most class members' ability to bring a lawsuit, as the cost of litigation may outweigh the potential benefits to them. Therefore, this motion may functionally determine their claims. When a motion is "more than tangential" to the merits of the claims, it should not be sealed unless there are "compelling interests" that outweigh the public interest in openness. Kamakana v. Honolulu, 447 F.3d 1172 (9th Cir. 2006). "[M]ost district courts to consider the question have found that a motion for class certification is 'more than tangentially related to the underlying cause of action' and therefore merits application of the 'compelling reasons' standard." Davidson v. Apple, Inc., 2018 U.S. Dist. LEXIS 244893, at *13 (N.D. Cal. Dec. 17, 2018). AdTrader, Inc. v. Google LLC, 2020 U.S. Dist. LEXIS 206823 (N.D. Cal. Feb. 24, 2020) ("the compelling reasons standard applies to motions to seal documents relating to class certification.").

I expect some records contain individuals' private healthcare information, which is appropriate to redact and which I am not requesting to access. But it appears that the justification for sealing many other records is "competitive harm" or "confidential business information." While narrow redaction of truly proprietary "trade secrets" might be warranted, blanket sealing would be unjustified. Much of what the defendants seek to have sealed – such as high-level documentation of MultiPlan's methodology or the "savings fees" United charges self-funded employer plans – is unlikely to be news to the companies'



competitors. My reporting and other publicly available documents indicate that both companies have voluntarily shared such information with clients, potential clients and others in the industry.

Information already public as part of this case, as well as other similar cases, suggests that much of what United and MultiPlan have asked the court to seal is merely potentially embarrassing, not a legitimate trade secret.² But "The mere fact that the production of records may lead to a litigant's embarrassment, incrimination, or exposure to further litigation will not, without more, compel the court to seal its records." *Kamakana* at p. 1179.

Docket entry 325, as originally filed, is illustrative. While this entry appears to be unavailable in its entirety now, the version initially filed contains what appear to be proposed redactions that seem to have been inadvertently not applied. Thus, for the first six exhibits filed in connection with the plaintiffs' renewed motion for class certification, it is possible to see what the parties propose to seal.

While a few of the proposed redactions, such as patient health information, appear to be legitimate, the vast majority appear to be based on dubious assertions of confidential business information. The defendants seek to redact information as mundane as the names and job titles of United and MultiPlan employees, which those employees have already shared publicly on social media sites such as LinkedIn; language from an archived version of United's public-facing website captured on a publicly available site, archive.org; and the names of out-of-network

² MultiPlan and United seek to withhold, for example, the specific Ambulatory Payment Classification (APC) code that MultiPlan selected for a "cross-walk" – an attempt to address shortcomings in the source data the company chose to use. Other documents in this case, however, reveal what the code is and raise questions about whether it is an appropriate analogue. Similarly, MultiPlan and United seek to withhold the percentile applied when determining recommended rates through Viant OPR. Here, too, other documents in this case reveal the number and raise questions about its appropriateness. Both concepts – cross-walking to APC codes and selecting a percentile to apply – are well known in the industry. Disclosure of the numbers MultiPlan chose is unlikely to pose a competitive risk, but it would allow an assessment of whether those choices led to inappropriately low reimbursements, a core issue in this case and a matter of significant public interest.



reimbursement programs that United has disclosed publicly on numerous occasions.

Tellingly, the defendants seek to redact United executive Rebecca Paradise's testimony about her general understanding of MultiPlan's methodology, which includes the following: "I have a high level understanding. I am not an expert in their detailed proprietary methodology. ... I'm not going to speak to their detailed proprietary methodology."

The unapplied redactions in docket entry 325, then, evidence an untenably broad approach to sealing and raise serious questions about the propriety of the vast amount of additional sealing the defendants have proposed.

Finally, some of the documents that seem to be at issue here relate to corporate strategies pursued by United and MultiPlan some five or even eight years ago. It is difficult to envision how they would cause competitive harm today.

For all of these reasons, I ask that the Court permit public access to the sealed filings in this case to the fullest extent possible. I thank the Court for its consideration of these important issues.

Respectfully,

Chris Hamby

Reporter, Investigations

The New York Times

(202) 862-0411

chris.hamby@nytimes.com

CC: Counsel of Record, via email